

SCOTT ALEXANDER WARREN
DELVECCHIA vs FRONTIER AIRLINESDecember 13, 2019
1-4

Page 1

1UNITED STATES DISTRICT COURT

2FOR THE DISTRICT OF NEVADA

3

4PETER DELVECCHIA, et al.,

5

6Plaintiffs,

7

8vs. CASE NO. 2:19-CV-01322-KJD-NJK

9

10FRONTIER AIRLINES, INC., et al.,

11

12Defendants.

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DEPOSITION OF

SCOTT ALEXANDER WARREN

December 13, 2019

10:09 a.m.

9950 West Cheyenne Avenue

Las Vegas, Nevada

Gary F. Decoster, CCR No. 790

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1APPEARANCES OF COUNSEL

2

3For the Plaintiffs:

4PARK AVENUE LAW LLC

5JOHN D. MCKAY, ESQ.

6127 West Fairbanks Avenue

7Suite 519

8Winter Park, Florida 32789

9800.391.3654

10johndmckayatty@gmail.com

11

12For the Defendants:

13ADLER MURPHY & McQUILLEN LLP

14BRIAN T. MAYE, ESQ.

1520 South Clark Street

16Suite 2500

17Chicago, Illinois 60603

18312.345.0700

19312.345.9860 Fax

20bmaye@amm-law.com

21

22Also Present: PETER DELVECCHIA

23MONICA HAYWORTH, VIDEOGRAPHER

24

25

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3WITNESS: SCOTT ALEXANDER WARREN

4

5EXAMINATION

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7By Mr. Maye

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1Video Deposition of Scott Alexander Warren

2December 13, 2019

3(Exhibits 1 through 5 marked.)

4* * *

5THE VIDEOGRAPHER: This is Media No. 1 to the

6video recorded deposition of Scott Warren in the

7matter of Peter Delvecchia, et al., versus Frontier

8Airlines, Incorporated, et al., being heard before the

9United States District Court for the District of

10Nevada, Case No. 2:19-CV-01322-KJD-NJK.

11This deposition is being held at Titolo Law

12Office, 9950 West Cheyenne Avenue, Las Vegas, Nevada,

13starting at 10:09 a.m.

14My name is Monica Hayworth, and I'm the

15videographer. The court reporter is Gary Decoster

16with Esquire Deposition Solutions.

17Counsel, will you please introduce

18yourselves, and affiliations, and the witness will

19then be sworn.

20MR. MCKAY: My name is John McKay. I am the

21counsel for the plaintiffs, Peter Delvecchia and A.D.

22MR. MAYE: Brian Maye for Frontier Airlines.

23THE VIDEOGRAPHER: Thank you.

24THE COURT REPORTER: Sir, would you raise

25your right hand?

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EXHIBIT 2

SCOTT ALEXANDER WARREN
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<p style="text-align: right;">Page 49</p> <p>1 confirm, you were assigned to be the B flight 2 attendant? 3 A. Yes. 4 Q. Okay. Tell me what the B is responsible for. 5 A. Primarily the B makes the announcements 6 during boarding as far as welcome aboard, this is 7 flight whatever going to whatever city. The B reads 8 the safety demonstration as the others perform it. 9 On this particular flight the B prepares the 10 beverage carts, because they're all in the back on a 11 320, on this particular 320, and the B makes the 12 announcements as we begin our descent. 13 Q. Okay. Is -- do you get a portion of the 14 aisles to provide -- I'm sorry, not aisles, rows to 15 provide service to as well? 16 A. Yes, the B and the D will do the, what we 17 say, the back half, but it's not half; we'll do the 18 exit rows back. 19 Q. Okay. And the D in this case was Amanda 20 Nichol; is that right? 21 A. I don't recall who the D was. 22 Q. All right. Had you ever worked with the D 23 before this flight? 24 A. I don't remember ever working with her 25 before.</p>	<p style="text-align: right;">Page 51</p> <p>1 C has gone to the exit rows, and then did you observe 2 her doing this? 3 A. No, I wasn't looking at her, no. 4 Q. Okay. And that was Anna Bond on this flight, 5 right? 6 A. I believe she was the C, yeah. 7 Q. Okay. So if you weren't watching her brief 8 the exit rows, how were you aware of Peter and his 9 son? 10 A. I saw them stand up. 11 Q. Okay. And did you know what was happening 12 when you saw them stand up? 13 A. No, I did not know exactly, but usually when 14 the C briefs the exit row, then people stand up, 15 usually someone has to be moved for some reason. 16 Q. Okay. And what are the reasons that somebody 17 gets moved? 18 A. Some reasons would be under the age of 15, 19 not an English speaker, they may have a cast or a neck 20 brace on. 21 Q. Okay, so that it would be dangerous for them 22 to assist? 23 A. Yes. 24 Q. Okay. And when you saw Peter and his son 25 stand up, what was going through your mind?</p>
<p style="text-align: right;">Page 50</p> <p>1 Q. Okay. How about the A and the C, had you 2 worked with them before? 3 A. I had flown with Anna before. The other 4 lady, I don't recall working with her. 5 Q. Okay. How many times had you flown with Anna 6 Bond? 7 A. Once before. 8 Q. Okay. Did you all communicate, you know, 9 socially at all? 10 A. No. 11 Q. Okay. At what point did you notice -- and 12 we're starting now from the time that you showed up to 13 work 50 minutes before the scheduled departure time -- 14 at what point did you start to be aware of Peter 15 Delvecchia and his son? 16 A. I noticed that -- shortly after boarding was 17 complete, I noticed they were being moved out of the 18 exit row. 19 Q. All right. Are you sure that boarding was 20 complete at that point? 21 A. Yes, because that's when the C goes to brief 22 the exit rows, once boarding is complete. 23 Q. Okay. C doesn't do that prior? 24 A. No. 25 Q. Okay. So, okay, so boarding is complete, the</p>	<p style="text-align: right;">Page 52</p> <p>1 MR. MAYE: Object to form. 2 THE DEPONENT: They must be age or language 3 barrier. 4 BY MR. MCKAY: 5 Q. Okay. Did you think one or the other? 6 A. No. 7 Q. Okay. You did notice that Peter was white 8 and his son was black, right? 9 MR. MAYE: Object to form. 10 BY MR. MCKAY: 11 Q. Did you notice the races of Peter and his 12 son? 13 A. Yes. 14 Q. Okay. And what did you think about that? 15 MR. MAYE: Object to form. 16 THE DEPONENT: I didn't think anything of it. 17 BY MR. MCKAY: 18 Q. Okay, but you thought that they were father 19 and son? 20 A. I didn't think about that. 21 Q. All right. You didn't think about what 22 combination of people they might be? 23 A. No, like I said, I just saw them, it must be 24 either language or age. 25 Q. Okay. What happened next?</p>

ANNA BOND
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<p>1 UNITED STATES DISTRICT COURT</p> <p>2 DISTRICT OF NEVADA</p> <p>3</p> <p>4 PETER DELVECCHIA, et al,)</p> <p>5 Plaintiff,)</p> <p>6 vs.) CASE NO. 2:19-CV-01322-KJD-NJK</p> <p>7 FRONTIER AIRLINES, INC., et al,)</p> <p>8 Defendants.)</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19 DEPOSITION OF ANNA BOND</p> <p>20 Taken on Tuesday, December 10, 2019</p> <p>21 At 1:37 p.m.</p> <p>22 At Titolo Law Office</p> <p>23 9950 West Cheyenne Avenue</p> <p>24 Las Vegas, Nevada</p> <p>25 REPORTED BY: SHIFRA MOSCOVITZ, CCR NO. 938</p>	<p>1 EXAMINATION</p> <p>2 WITNESS: PAGE</p> <p>3 Anna Bond</p> <p>4 Examination by</p> <p>5 Mr. McKay 4,105</p> <p>6 Mr. Maye 103</p> <p>7</p> <p>8</p> <p>9 EXHIBITS</p> <p>10 EXHIBIT PAGE</p> <p>11 Exhibit 1 Notice of Deposition 9</p> <p>12 Exhibit 2 Copies of Text Messages 11</p> <p>13 Exhibit 3 Record of all the Training 33</p> <p>14 Exhibit 4 In-Flight Flyer 34</p> <p>15 Exhibit 5 In-Flight Must Reads 34</p> <p>16 Exhibit 6 Flight Attendant Manual 34</p> <p>17 Exhibit 7 Flight Attendant's Statement 91</p> <p>18 Exhibit 8 Email From Jason B. Grimes 91</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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<p>1 APPEARANCES:</p> <p>2 For Plaintiffs:</p> <p>3 JOHN D. MCKAY, ESQ.</p> <p>4 PARK AVENUE LAW</p> <p>5 127 W. Fairbanks Avenue</p> <p>6 #519</p> <p>7 Winter Park, Florida</p> <p>8 (800)391-3654</p> <p>9</p> <p>10 For Plaintiffs:</p> <p>11 TIM TITOLO</p> <p>12 TITOLO BRAIN AND INJURY LAW</p> <p>13 9950 W. Cheyenne Avenue</p> <p>14 Las Vegas, Nevada 89129</p> <p>15 (702)869-5100</p> <p>16</p> <p>17 For Defendants:</p> <p>18 BRIANE T. MAYE, ESQ.</p> <p>19 ADLER MURPHY & MCQUILLEN LLP</p> <p>20 20 South Clark Street</p> <p>21 Suite 2500</p> <p>22 Chicago, Illinois 60603</p> <p>23 (312)345-0700</p> <p>24</p> <p>25 Also Present: MONICA HAYWORTH, VIDEOGRAPHER</p> <p>PETER DELVECCHIA</p>	<p>1 LAS VEGAS, NEVADA; DECEMBER 10, 2019</p> <p>2 1:37 P.M.</p> <p>3 -oOo-</p> <p>4 (NRCP Rule 30(b)(4) waived by the parties prior to the</p> <p>5 commencement of the deposition.)</p> <p>6 (FRCP Rule 30(b)(5) waived by the parties prior to the</p> <p>7 commencement of the deposition.)</p> <p>8 Thereupon--</p> <p>9 ANNA BOND,</p> <p>10 was called as a witness, and having been first duly sworn,</p> <p>11 was examined and testified as follows:</p> <p>12 EXAMINATION</p> <p>13 BY MR. MCKAY:</p> <p>14 VIDEOGRAPHER: Okay, this is media number</p> <p>15 one to the video recorded deposition of Anna</p> <p>16 Bond in the matter of Peter Delvecchia, et al.</p> <p>17 versus Frontier Airlines, Incorporated, et al.</p> <p>18 Being heard before the United States District</p> <p>19 Court, for the District of Nevada, case number</p> <p>20 2:19-cv-01322-KJD-NJK. This deposition is</p> <p>21 being held at Titolo Law Office, 9950 West</p> <p>22 Cheyenne Avenue, Las Vegas, Nevada, starting</p> <p>23 1:37 p.m. My name is Monica Hayworth and I am</p> <p>24 the videographer. The court reporter is Shifra</p> <p>25 Moscovitz with Esquire Deposition Solutions.</p>



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ANNA BOND
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<p style="text-align: right;">Page 41</p> <p>1 MR. MAYE: Object to form.</p> <p>2 A. Not when it's a full flight, the customer</p> <p>3 service agents try to keep the back row empty, but</p> <p>4 it is not always like that.</p> <p>5 Q. Okay. So you got some people to switch</p> <p>6 with them, the people came from row 17. And so</p> <p>7 Peter and AD went back to row 17, right?</p> <p>8 A. Yes.</p> <p>9 Q. All right. Did anything unusual happen at</p> <p>10 that point?</p> <p>11 A. No.</p> <p>12 Q. Okay. So everything looked fine from that</p> <p>13 point on?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. So the only thing that was of</p> <p>16 concern to you was the fact that AD had looked at</p> <p>17 Peter before giving his age?</p> <p>18 MR. MAYE: Object to form.</p> <p>19 A. At that time, it didn't occur to me it was</p> <p>20 a weird behavior, it kind of seemed strange, but I</p> <p>21 didn't take anything of it. So later on it kind of</p> <p>22 clicked in my head that that was a really strange</p> <p>23 behavior.</p> <p>24 Q. In what context?</p> <p>25 A. What do you mean, sorry?</p>	<p style="text-align: right;">Page 43</p> <p>1 than 15?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And so right away you said</p> <p>4 something like young man, how old are you?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. He looked at his father for a</p> <p>7 second and then said to you, I am 12?</p> <p>8 A. Yes.</p> <p>9 Q. So then you reseated them, and then you</p> <p>10 did your briefing?</p> <p>11 A. Yes.</p> <p>12 Q. So you didn't have any interaction with</p> <p>13 the other passengers in 12 and 13?</p> <p>14 A. Not at that time.</p> <p>15 Q. Okay. Where was Peter seated in 13?</p> <p>16 A. He was sitting in 13 Echo.</p> <p>17 Q. So that is the middle seat on aircraft</p> <p>18 right?</p> <p>19 A. Yes.</p> <p>20 Q. And where was AD seated?</p> <p>21 A. Thirteen Delta.</p> <p>22 Q. Okay. The aisle seat?</p> <p>23 A. Yes.</p> <p>24 Q. Who was in 13 Foxtrum?</p> <p>25 A. I don't recall.</p>
<p style="text-align: right;">Page 42</p> <p>1 Q. Well, you said that at the time it</p> <p>2 happened it didn't even register, right?</p> <p>3 A. Well, at the time it was weird, I did see</p> <p>4 something off, but it didn't really, it wasn't</p> <p>5 enough for me to go tell the rest of the flight crew</p> <p>6 what he just did.</p> <p>7 Q. Okay. Now, as you look at, let me take</p> <p>8 you through your briefing first, you went back to</p> <p>9 the exit row, row 13 to brief the passenger seated</p> <p>10 there, right?</p> <p>11 A. Yes.</p> <p>12 Q. Is that the only exit row on this</p> <p>13 airplane?</p> <p>14 A. 12 and 13.</p> <p>15 Q. 12 and 13 both. So you were the person</p> <p>16 that came back and kind of in a raised voice said,</p> <p>17 hey, everybody in rows 12 and 13, I need your</p> <p>18 attention, right?</p> <p>19 A. Yes.</p> <p>20 Q. Did you do that?</p> <p>21 A. No.</p> <p>22 Q. Oh.</p> <p>23 A. I had moved them before briefing.</p> <p>24 Q. I see. So before you even did the</p> <p>25 briefing, you noticed that he appeared to be younger</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. Do you recall whether that was a white</p> <p>2 person or black person?</p> <p>3 A. I don't recall.</p> <p>4 Q. Do you recall whether AD was a white</p> <p>5 person or a black person?</p> <p>6 A. I believe he is black.</p> <p>7 Q. And what about Peter?</p> <p>8 A. He is white.</p> <p>9 Q. Okay. So you remember seeing a white man</p> <p>10 and a black child?</p> <p>11 A. I saw this, yes, physically, yes.</p> <p>12 Q. Okay. And you thought it was odd when the</p> <p>13 black child looked at the white male?</p> <p>14 MR. MAYE: Object to form.</p> <p>15 A. I didn't find it odd that any race, that</p> <p>16 didn't really occur to me, it was just a boy and a</p> <p>17 man. And the boy looked like he was asking</p> <p>18 permission to talk.</p> <p>19 Q. Okay. But that's not something that</p> <p>20 really clicked you said until later?</p> <p>21 A. Yes.</p> <p>22 Q. How much later?</p> <p>23 MR. MAYE: I am sorry, object to form.</p> <p>24 She said that she did.</p> <p>25 MR. MCKAY: Object to form was great.</p>

AMANDA L. NICKEL
DELVECCHIA Vs. FRONTIER AIRLINES

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<p style="text-align: right;">Page 1</p> <p>1 UNITED STATES DISTRICT COURT</p> <p>2 FOR THE DISTRICT OF NEVADA</p> <p>3</p> <p>4 PETER DELVECCHIA, et al.,</p> <p>5 Plaintiffs,</p> <p>6 vs. CASE NO.</p> <p>7 FRONTIER AIRLINES, INC., 2:19-CV-01322-KJD-NJK</p> <p>8 et al.,</p> <p>9 Defendants.</p> <p>10</p> <p>11</p> <p>12</p> <p>13 VIDEOTAPED DEPOSITION OF</p> <p>14 AMANDA LEE NICKEL</p> <p>15</p> <p>16 Wednesday, December 11, 2019</p> <p>17 9:01 a.m.</p> <p>18</p> <p>19 9950 West Cheyenne Avenue</p> <p>20 Las Vegas, Nevada</p> <p>21</p> <p>22 Judith Payne Kelly, RMR, CCR-539</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 3</p> <p>1 INDEX OF EXAMINATION</p> <p>2</p> <p>3 Witness Page</p> <p>4 AMANDA LEE NICKEL</p> <p>5 EXAMINATION</p> <p>6 By Mr. McKay 5</p> <p>7 By Mr. Maye 130</p> <p>8 By Mr. McKay 134</p> <p>9</p> <p>10</p> <p>11</p> <p>12 INDEX TO EXHIBITS</p> <p>13</p> <p>14 Exhibit Description Page</p> <p>15 Exhibit 1 Summary of training, 19AZF0229 34</p> <p>16 DELVECCHIA FRONTIER 203</p> <p>17 Exhibit 2 Las Vegas Metropolitan Police 34</p> <p>18 Department Voluntary Statement,</p> <p>19 19AZF0229 DELVECCHIA FRONTIER 0120</p> <p>20 and 0121</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES OF COUNSEL</p> <p>2</p> <p>3</p> <p>4 For the Plaintiffs:</p> <p>5 JOHN D. MCKAY, ESQ.</p> <p>6 Park Avenue Law, LLC</p> <p>7 127 West Fairbanks Avenue</p> <p>8 Box 519</p> <p>9 Winter Park, Florida 32789</p> <p>10 800.391.3654</p> <p>11 parkavelaw@gmail.com</p> <p>12</p> <p>13 For Defendant Frontier Airlines:</p> <p>14 BRIAN T. MAYE, ESQ.</p> <p>15 Adler Murphy & McQuillen, LLP</p> <p>16 20 South Clark Street</p> <p>17 Suite 2500</p> <p>18 Chicago, Illinois 60603</p> <p>19 312.345.0700</p> <p>20 bmaye@amm-law.com</p> <p>21</p> <p>22 Also Present:</p> <p>23 MONICA HAYWORTH, VIDEOGRAPHER</p> <p>24 PETER DELVECCHIA</p> <p>25 * * * * *</p>	<p style="text-align: right;">Page 4</p> <p>1 Deposition of AMANDA LEE NICKEL</p> <p>2 December 11, 2019</p> <p>3</p> <p>4 THE VIDEOGRAPHER: This is Media No. 1 to the</p> <p>5 video-recorded deposition of Amanda Nickel in the</p> <p>6 matter of Peter DelVecchia versus Frontier Airlines,</p> <p>7 Incorporated, being heard before the United States</p> <p>8 District Court for the District of Nevada, Case</p> <p>9 No. 2:19-CV-01322-KJD-NJK.</p> <p>10 This deposition is being held at Titolo Law</p> <p>11 Office in Las Vegas, starting at 9:01 a.m. My name is</p> <p>12 Monica Hayworth, and I'm the videographer. The court</p> <p>13 reporter is Judy Kelly, with Esquire Deposition</p> <p>14 Solutions.</p> <p>15 Counsel, will you please introduce yourselves</p> <p>16 and affiliations, and the witness will then be sworn.</p> <p>17 MR. MCKAY: John McKay of Park Avenue Law for</p> <p>18 the plaintiffs.</p> <p>19 MR. MAYE: Brian Maye for Frontier Airlines.</p> <p>20 THE VIDEOGRAPHER: Thank you.</p> <p>21 Thereupon,</p> <p>22 AMANDA LEE NICKEL, having been first duly</p> <p>23 sworn, was examined and testified as follows:</p> <p>24 ///</p> <p>25 ///</p>



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<p style="text-align: right;">Page 129</p> <p>1 believe he sat down in the row, but I can't recall.</p> <p>2 Q. Okay. Because there were times when you were</p> <p>3 not observing?</p> <p>4 A. He never -- because the other passenger was</p> <p>5 on the aisle, so I don't -- Scott never sat in the</p> <p>6 middle of them or anything.</p> <p>7 Q. And you're sure of that?</p> <p>8 A. To the best of my recollection, yes.</p> <p>9 Q. Okay. But there are times when you didn't --</p> <p>10 when you weren't watching row 31, right?</p> <p>11 A. Correct. But I was vigilant of -- or knew</p> <p>12 where Scott was. I mean, you don't necessarily sit in</p> <p>13 a row next to a passenger. That's not in our job.</p> <p>14 Q. All right. I'm not asking about your</p> <p>15 specific job at this point. I'm just asking about your</p> <p>16 observations.</p> <p>17 A. And my observations were I don't -- I don't</p> <p>18 believe Scott was ever sitting in the middle seat.</p> <p>19 Q. Okay. But you would agree with me there were</p> <p>20 times when you were doing your job, as you said, that</p> <p>21 you were not looking at row 31?</p> <p>22 A. I was not looking at 30 -- row 31 every</p> <p>23 second of the flight.</p> <p>24 MR. McKAY: Okay. Those are the only</p> <p>25 questions that I have today, but I'm just going to</p>	<p style="text-align: right;">Page 131</p> <p>1 started interviewing the suspected perpetrator?</p> <p>2 MR. McKAY: Objection to the form of the</p> <p>3 question.</p> <p>4 A. The perpetrator could get angry; there could</p> <p>5 be physical violence to other passengers or to crew.</p> <p>6 Q. (By Mr. Maye) And why do you separate a</p> <p>7 suspected victim from the suspected perpetrator on a</p> <p>8 flight?</p> <p>9 MR. McKAY: Objection to the form of the</p> <p>10 question.</p> <p>11 A. For the safety of the victim and other</p> <p>12 passengers, the -- yeah, for the safety.</p> <p>13 Q. (By Mr. Maye) And is that based on your</p> <p>14 training?</p> <p>15 A. Yes.</p> <p>16 Q. What about Frontier guidelines and policies?</p> <p>17 A. In Frontier's guidelines, you're supposed to</p> <p>18 separate -- always separate the victim. They tell us</p> <p>19 specifically you need to -- several rows need to be in</p> <p>20 between the victim and the perpetrator; we're not</p> <p>21 supposed to question the victim or the perpetrator,</p> <p>22 just make the victim comfortable and wait for law</p> <p>23 enforcement when they land.</p> <p>24 Q. And as a flight attendant, can you move the</p> <p>25 suspected victim without notifying the captain?</p>
<p style="text-align: right;">Page 130</p> <p>1 adjourn because we do have some outstanding discovery</p> <p>2 issues.</p> <p>3 THE WITNESS: What does that mean? I have to</p> <p>4 come back?</p> <p>5 MR. MAYE: No, I don't know what he means --</p> <p>6 THE WITNESS: Okay.</p> <p>7 MR. MAYE: -- but I do have a few follow-up</p> <p>8 questions.</p> <p>9 THE WITNESS: Okay.</p> <p>10 EXAMINATION</p> <p>11 BY MR. MAYE:</p> <p>12 Q. You testified earlier that before a decision</p> <p>13 is made to separate a suspected victim of violence or</p> <p>14 sexual misconduct, you don't interview those involved</p> <p>15 or you don't conduct any, you know, investigation</p> <p>16 involving asking questions of the suspected</p> <p>17 perpetrator, suspected victim. Is that right?</p> <p>18 MR. McKAY: Objection to the form of the</p> <p>19 question; and no, that was not her testimony.</p> <p>20 A. Correct. It is not in our training to</p> <p>21 question the victim or the perpetrator. We leave that</p> <p>22 to law enforcement so that we don't try and escalate a</p> <p>23 situation.</p> <p>24 Q. (By Mr. Maye) And when you say "escalate the</p> <p>25 situation," what do you mean? What could happen if you</p>	<p style="text-align: right;">Page 132</p> <p>1 MR. McKAY: Objection to the form of the</p> <p>2 question.</p> <p>3 A. Actually, in the sexual misconduct training,</p> <p>4 it says to separate them first and then notify the</p> <p>5 pilot.</p> <p>6 Q. (By Mr. Maye) In this case you didn't do</p> <p>7 that, right?</p> <p>8 MR. McKAY: Objection to the form of the</p> <p>9 question.</p> <p>10 A. Correct.</p> <p>11 Q. (By Mr. Maye) You first contacted the</p> <p>12 captain, correct?</p> <p>13 A. Yes.</p> <p>14 MR. McKAY: Objection to the form of the</p> <p>15 question.</p> <p>16 Q. (By Mr. Maye) And why did you do that?</p> <p>17 A. Because we wanted to make sure we were making</p> <p>18 the right decision in this case.</p> <p>19 Q. When Scott separated A.D. from his father,</p> <p>20 did you observe the demeanor of Mr. DelVecchia?</p> <p>21 MR. McKAY: Objection to the form of the</p> <p>22 question.</p> <p>23 A. I observed that there wasn't any yelling or</p> <p>24 screaming or any arguing at that time. I noticed the</p> <p>25 father stand up as the son exited the row. There was a</p>

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1 very brief discussion, only a few words spoken at that
2 time, until later when the father came back to the back
3 of the plane to speak to us.
4 Q. (By Mr. Maye) At any point did you observe
5 A.D. crying at all?
6 A. No.
7 Q. What are the potential risks of not
8 separating a potential victim from the suspected
9 perpetrator during a flight?
10 MR. McKAY: Objection to the form -- sorry.
11 Objection to the form of the question.
12 A. There could be continued harassment,
13 touching, continued threat to his safety if we hadn't
14 separated them.
15 Q. (By Mr. Maye) So by separating A.D. from his
16 father, you were removing a potential safety threat to
17 A.D.?
18 MR. McKAY: Objection to the form of the
19 question.
20 A. Yes.
21 Q. (By Mr. Maye) Do you recall if the race of
22 Mr. DelVecchia or the child were -- was relayed to the
23 captain?
24 MR. McKAY: Objection to the form of the
25 question.

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1 A. Not that I recall. No race was mentioned of
2 either.
3 MR. MAYE: I have no further questions.
4 Thanks.
5 FURTHER EXAMINATION
6 BY MR. McKAY:
7 Q. You certainly conveyed your unease to the
8 captain, didn't you?
9 A. In what regards to -- in what time when we
10 spoke to the captain?
11 Q. At some point during the flight, you told the
12 captain you were uneasy about the situation of Peter
13 and A.D. traveling together on the plane?
14 A. I relayed to the captain my observations,
15 yes.
16 Q. Which included your unease?
17 A. It included what -- I told him exactly what I
18 had observed.
19 Q. Just as you told the police later in your
20 statement, right?
21 A. Yes.
22 Q. Okay. At no point during the flight did A.D.
23 indicate to you that he was being molested, did he?
24 A. We -- I did not ask him, and he did not say
25 anything in regards to that.

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1 Q. So he never stated to you or to another
2 flight attendant, as far as you know, that he was being
3 molested?
4 A. Not that I recall.
5 Q. And no other passenger indicated to you that
6 they observed A.D. being molested by his father?
7 A. I did not question any passengers. It's not
8 our job.
9 Q. So that would be a no?
10 A. It would be that I did not ask any passengers
11 about the incident.
12 Q. Nor did any passengers tell you that they saw
13 that A.D. was being molested?
14 A. None said anything to me, no. It was not
15 discussed.
16 Q. And no flight attendant told you that they
17 had received any statement from a passenger that they
18 saw this alleged molestation occurring?
19 A. They did not say anything to me if they did.
20 Q. So all you have to base your conclusion that
21 this alleged molestation happened was the statement of
22 Scott that he had seen hands inserted between the legs,
23 right?
24 MR. MAYE: Object to form.
25 A. I didn't allege any molestation.

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1 Q. (By Mr. McKay) No one said you did.
2 A. You just said "alleged molestation," and I
3 said I did not allege molestation.
4 Q. Okay.
5 A. This was not my decision. This was the
6 captain's decision after we gave him all of our
7 observations.
8 Q. My apologies. It's a difference in
9 terminology.
10 So the conclusion that there had been some
11 molestation, right or wrong, came from the statement by
12 Scott that he had seen something?
13 A. I didn't come to any conclusion.
14 MR. MAYE: Objection. Hold on. Hold on.
15 Object to form.
16 THE WITNESS: I didn't come to any
17 conclusions.
18 Q. (By Mr. McKay) Okay.
19 A. I reported what I saw and I went by the
20 captain's instructions.
21 Q. But you do believe that the sexual misconduct
22 must-read is somehow connected to what happened on
23 Flight 2067?
24 A. I believe -- yes.
25 Q. Okay. Fair enough. All right.